

**23-19-15 License agents -- Authority -- Bond -- Compensation -- Violations.**

- (1) The director of the division may designate wildlife license agents to sell licenses, permits, and tags.
- (2) Wildlife license agents may:
  - (a) sell licenses, permits, and tags to all eligible applicants, except those licenses, permits, and tags specified in Subsection 23-19-16(2) which may be sold only by the division; and
  - (b) collect a fee for each license, permit, or tag sold.
- (3) A wildlife license agent shall receive:
  - (a) for any wildlife license, permit, or tag having a fee \$10 or less and greater than \$1, 50 cents for each wildlife license, permit, or tag sold; and
  - (b) for any wildlife license, permit, or tag having a fee greater than \$10, 5% of the fee.
- (4) The division may require wildlife license agents to obtain a bond in a reasonable amount.
- (5)
  - (a) As directed by the division, each wildlife license agent shall:
    - (i) report all sales to the division; and
    - (ii) submit all of the fees obtained from the sale of licenses, permits, and tags less the remuneration provided in Subsection (3).
  - (b) If a wildlife license agent fails to pay the amount due, the division may assess a penalty of 20% of the amount due. All delinquent payments shall bear interest at the rate of 1% per month. If the amount due is not paid because of bad faith or fraud, the division shall assess a penalty of 100% of the total amount due together with interest.
  - (c) All fees, except the remuneration provided in Subsection (3), shall:
    - (i) be kept separate from the private funds of the wildlife license agents; and
    - (ii) belong to the state.
- (6) A wildlife license agent may not intentionally:
  - (a) fail to date or misdate a license, permit, or tag; or
  - (b) issue a license to any person until that person furnishes proof of having passed a division-approved hunter education course as provided in Section 23-19-11 or furnishes proof of having passed a division-approved fur harvester education course as provided in Section 23-19-11.5.
- (7)
  - (a) Except as provided in Subsections (7)(b) and (c), a violation of this section is a class B misdemeanor.
  - (b) A violation of this section is a class A misdemeanor if the aggregate amount required under Subsection (5)(a):
    - (i) is at least \$1,000, but less than \$10,000;
    - (ii) is not submitted for one or more months; and
    - (iii) remains uncollectable.
  - (c) A violation of this section is a felony of the third degree if the aggregate amount required under Subsection (5)(a):
    - (i) is \$10,000 or more;
    - (ii) is not submitted for one or more months; and
    - (iii) remains uncollectable.
- (8) Violation of any provision of this section may be cause for revocation of the wildlife license agent authorization.

Amended by Chapter 68, 2005 General Session